

**MINUTES
of the
FIRST MEETING
of the
LAND GRANT COMMITTEE
May 31, 2006
Santa Fe**

The first meeting of the land grant committee was called to order by Senator Bernadette M. Sanchez, chair, at 10:25 a.m. on May 31, 2006 in room 309 of the State Capitol.

Present

Sen. Bernadette M. Sanchez, Chair
Rep. Miguel P. Garcia, Vice Chair
Sen. Rod Adair
Rep. Justine Fox-Young
Rep. Manuel G. Herrera
Sen. Richard C. Martinez

Absent

Sen. Joseph J. Carraro
Rep. Jimmie C. Hall
Sen. Gerald Ortiz y Pino
Rep. Debbie A. Rodella

Advisory Members

Rep. Hector H. Balderas
Sen. Carlos R. Cisneros
Sen. Phil A. Griego
Rep. Ben Lujan

Sen. William E. Sharer
Sen. Leonard Tsosie
Rep. Eric A. Youngberg

Staff

Jon Boller
Sheila Manzagol

Guests

The guest list is in the meeting file.

Wednesday, May 31

The staff gave a brief review of the committee-endorsed bills that passed and failed during the 2006 legislative session. Representative Garcia said that Robert Torres is continuing the title search of former community land grants now held by the state for the state commission of public records, and that the committee should continue to support funding for the project. It was suggested that a representative from the governor's office should be invited to the November meeting to express any concerns the governor may have on committee bills.

The committee then considered a work plan for the interim. Arturo Archuletta, northern New Mexico economic development district (NMEDD) representative, reported that the district is currently working on nine economic planning and other projects with various community land grants. Juan Sanchez, Chilili, asked that the NMEDD be allowed to work with the community land grants located in the mid-region council of governments district, since the NMEDD has already established a land grant program. He also asked the committee to review legislation allowing land grants governed under Chapter 49, Article 2 NMSA 1978 to reorganize under Chapter 49, Article 1 NMSA 1978, noting that this could affect the Bartolome Sanchez, Jacona, Costilla and Tome land grants. Representatives from the Chilili and Tecolote land grants notified the committee that their respective land grants would like to amend their governing statutes so that Chilili and Tecolote will be governed by the provisions of Chapter 49, Article 1 NMSA 1978 also. The committee requested staff to work with Joe and Angela Herrera, Tecolote, and Juan Sanchez, Chilili, to this end.

Asked whether community land grants now qualify for community development block grants (CDBG), Mr. Archuletta explained that the CDBG council will be considering an amendment to its rules at its July 27 meeting to allow land grants that are political subdivisions of the state to compete for CDBG funds in the same way as municipalities and counties. The committee moved to send a letter to the council to express its support of the rule change, and to consider setting aside up to five percent of available funds yearly for community land grant projects.

Marcario Griego, Carnue de Carnuel land grant, asked the committee to consider legislation allowing community land grants that are political subdivisions to purchase insurance from the risk management division of the general services department, as acequias are allowed to do. He also asked that the boards of trustees of these land grants be granted the same exclusion to the waiver of immunity under the Tort Claims Act that now applies to acequias.

Jerry Fuentes and John Chavez, Nuestra Senora del Rosario San Fernando y Santiago land grant, expressed their concerns about governance of their land grant and asked the committee to send a request for an opinion to the attorney general on the status of the land grant as a community land grant and on what statutes apply to the land grant when specific statutes are silent on a particular issue. The committee asked staff to work with Mr. Fuentes in drafting the letter.

The committee also discussed the establishment of a land grant legal studies program at the university of New Mexico school of law and when the attorney general's response to the 2004 government accountability office (GAO) report, entitled "Treaty of Guadalupe Hidalgo: Findings and Possible Options Regarding Longstanding Community Land Grant Claims in New Mexico" (GAO-04-59), would be presented to the committee.

The committee proposed the following work plan and itinerary for the interim:

Proposed Work Plan

The land grant committee proposes to consider the following issues and topics during the 2006 interim and develop appropriate legislation for the 2007 legislative session:

1. role of council of government regions in administering community and economic development planning for community land grants;
2. consideration of amending the statutes of land grants governed by specific statutes to reflect the provisions of Chapter 49, Article 1 NMSA 1978 and allowing land grants governed by Chapter 49, Article 2 NMSA 1978 to vote to be governed by Chapter 49, Article 1 NMSA 1978 provisions;
3. community development block grants for community land grants that are governed as political subdivisions of the state;
4. review of the Guadalupe Hidalgo treaty division, the funding of the division as part of the base budget of the office of the attorney general and the attorney general's response to the 2004 GAO report on community land grants;
5. the property tax division's administration of delinquent tax sales of land located within boundaries of community land grants;
6. purchase of insurance from the risk management division by boards of trustees;
7. continuing the funding of the title search of state-owned land that was formerly community land grant land by the state commission of public records; and
8. establishment of a land grant legal studies program at the UNM school of law.

Proposed Meeting Dates and Itinerary

Date	Meeting Place
May 31	Santa Fe
July 27, 28	San Antonio de las Huertas
August 23	UNM Law School
September 12, 13	Torreon
October 5, 6	Gallinas/Coyote/Canones
November 29	Santa Fe

There being no further business, the committee adjourned at 11:47 a.m.